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Attorneys for Defendant and Counter-Claimant
NVIDIA CORPORATION

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA,

Plaintiff,

vs.

NVIDIA CORPORATION,

Defendant.

Case No. C 09-2046 CW

**STIPULATED REQUEST TO EXTEND
TIME FOR MEDIATION AND ORDER**

NVIDIA CORPORATION,

Counter-claimant,

vs.

NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA,

Counter-defendant.

Plaintiff and Counter-Defendant NATIONAL UNION FIRE INSURANCE COMPANY
OF PITTSBURGH, PA and Defendant and Counter-Claimant NVIDIA CORPORATION
respectfully submit the following stipulated request:

WHEREAS, on August 25, 2009, this Court issued a Scheduling Order requiring the parties to participate in a mediation by November 18, 2009;

WHEREAS, the parties in this matter have agreed to use the same mediator -- the Hon. Layn R. Philips (ret.) -- for this insurance coverage dispute that will be mediating the *NVIDIA GPU Litigation* pending before Judge James Ware ;

WHEREAS, the Hon. Layn Philips (ret.) does not have any dates available for mediations until December 9, 2009;

WHEREAS, the parties have scheduled a mediation of this coverage dispute before Judge Philips on December 15, 2009 – the first date available on the calendars of Judge Philips and all the necessary participants;

WHEREAS, the parties are required to attend the mediation in person pursuant to ADR L-R 6-10 and will not further delay the mediation date absent an unforeseen and exceptional circumstance and a showing of good cause;

WHEREAS, an extension in time to conduct the mediation by December 15, 2009 does not affect the case schedule;

THEREFORE, the parties respectfully request that the Court grant an extension until December 15, 2009, for the parties to conduct a mediation pursuant to ADR L-R 6.

DATED: September 24, 2009

BATES & CAREY LLP

By: /s/
Richard H. Nicolaides

Attorneys for Plaintiff and Counter-Defendant
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA

1 DATED: September 24, 2009

FARELLA BRAUN & MARTEL LLP

3 By: _____/s/
4 Amanda D. Hairston

5 Attorneys for Defendant and Counter-Claimant
6 NVIDIA CORPORATION.

7 1. The stipulating parties shall appear December 15, 2009 to conduct a mediation
8 pursuant to ADR L-R 6.

9 2. The stipulating parties and their counsel are required to attend the mediation in
10 person pursuant ADR L-R 6-10.

11 3. The mediation date will not be further delayed absent an unforeseen and
12 exceptional circumstance and a showing of good cause.

13 10/1/09

14 Dated: _____



15 _____
16 The Honorable Claudia Wilken